Case 11-27635-MBK Doc 78 Filed 12/06/16 Entered 12/07/16 09:57:46 Desc Main

Document Page 1 of 2

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c) COLLINS, VELLA & CASELLO, LLC 2317 Highway 34 South, Suite 1A Manasquan, NJ 07727 Attorneys for Debtors (732) 751-1766

Joseph M. Casello, Esq.

Order Filed on December 6, 2016 by Clerk U.S. Bankruptcy Court District of New Jersey

In Re:

Kevin & Stacy Kirman

Debtors

Case No.: Chapter 11 Case No. 11-27635

Adv. No.:

Hearing Date: October 25, 2016 at 9:00

Judge: Honorable Michael Kaplan, U.S.B.J.

## ORDER COMPELLING U.S. BANK NATIONAL ASSOCIATION TO DISCHARGE OF RECORD THE SECOND MORTGAGE ENCUMBERING THE DEBTORS RESIDENCE

The relief set forth on the following pages, numbered two is hereby **ORDERED**.

DATED: December 6, 2016

Honorable Michael B. Kaplan United States Bankruptcy Judge Case 11-27635-MBK Doc 78 Filed 12/06/16 Entered 12/07/16 09:57:46 Desc Main Document Page 2 of 2

Page 2

Debtor: Kevin & Stacy Kirman

Case No.: 11-27635

Caption of Order: Order Compelling U.S. Bank National Association to Discharge of Record the Second Mortgage

Encumbering the Debtors' Residence

**THIS MATTER** having been brought before the Court upon a Motion to Compel U.S. Bank National Association to Discharge of Record a Second Mortgage Encumbering the Debtors' Residence filed by Collins, Vella & Casello, LLC on behalf of Stacy and Kevin Kirman; and

The Court having considered the Motion and for the reasons set forth on the record and for good and sufficient cause appearing, it is hereby **ORDERED** as follows:

- 1. Within 30 days from the issuance of a discharge to the Debtors US Bank National Association shall mark for cancellation a mortgage dated September 29, 2008 which mortgage was recorded on October 22, 2008 in Book OR-8744 at page 2050 and shall forward the mortgage so marked to the Clerk of Monmouth County to be recorded and removed of record.
- 2. To the extent U.S. Bank National Association fails to comply with the terms of this order, the Debtors may forward a copy of this order to the Clerk of Monmouth County for recording for the purpose of removing and cancelling the mortgage as of record.